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Tobacco Litigation Team Report

An Update from Attorney General Harshbarger on Tobacco Litigation and Control Efforts

Spring 1997

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With the March 20 signing of an unprecedented settlement with the Liggett Group, our coalition of 22 states began what we hope will be the triumphant final chapter in the tale of the tobacco wars. As widely reported in the media, the agreement compels Liggett to do several things no cigarette manufacturer has ever done: publicly admit that smoking is addictive, that smoking causes cancer and other diseases, and that the tobacco industry intentionally markets directly to children, even though sales to minors are illegal in all 50 states. The company will also become a cooperating witness in support of the states' cases against the other tobacco defendants, essentially "turning states evidence." [See page 4 for more details.]

In the long campaign we've fought together, where most victories are incremental, it's important to savor a success like this. Everyone who has ever taken a stand against the practices of the tobacco industry -- by supporting an initiative campaign like the one waged successfully in Massachusetts in 1992, filing suit, lobbying a lawmaker, or working to change the climate of public opinion -- can rightly share in this victory.

Our work, however, is a long way from over. With the Liggett win behind us, we turn now to a broader challenge: victories in our suits with each of the four larger tobacco companies or, what may remain probable, a congressional resolution or other far-reaching settlement. I remain wary of Congressional resolutions, give that past congressional action has been a "home game" for Big Tobacco. However, if the public health community could control the terms of such a settlement, it would change the behavior of the entire industry, avoid the cost of years of continued litigation -- and, most important, start saving lives now.

In any new legislative battle, our success will depend particularly on a clear, consistent message from the public health community, specifying what ought to be the essential components of any "global" settlement plan. At a minimum, I have heard from many of you that any plan should include:

- Adoption of the FDA rules (or an even more aggressive federal plan) to prevent the marketing and sale of tobacco to children, and the continuation of federal agency regulatory authority;
- Congressional repeal of any special protections for tobacco products in terms of labeling and health warnings;
- An unequivocal public acknowledgment by the entire industry that tobacco products cause cancer and are highly addictive;
- An express preservation of the rights of states and local governments to continue to enact even more stringent tobacco control measures;
- And, significant financial compensation by the industry for the past, present, and future damage caused by its products and its parallel attempts to mislead the public about tobacco's true health effects.

A year ago, we faced a steep legal challenge. Almost no one believed we could force the tobacco giants to disclose what they know about their products, stop marketing to our children, accept real responsibility for the consequences of their conduct, and pay their outstanding bill to the taxpayers. Today, we have passed a milestone on the road to success. And if we continue down this road together, the final victory will appear on the horizon sooner than we think.

Sincerely,

Scott Harshbarger

DOCUMENTS COLLECTION
OCT 17

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The AG's TLT Report

Editor:
Denise Snyder
Contributors:
Tom Green, First Assistant Attorney General
George Weber, Division Chief, Consumer Protection and Antitrust Division
AAG Michael Hering
AAG Rosalyn Garbose
AAG Bill Porter
AAG Leib Dodell
AAG Rebecca McIntyre
AAG Will Matlack

Federal Judge Puts Brakes on Tobacco Industry's Attempt to Derail Harshbarger's $1 Billion Lawsuit

Judge Stays Industry Lawsuit Until Conclusion of Case

Earlier this winter, a federal judge put the brakes on the tobacco industry's attempt to derail Attorney General Scott Harshbarger's lawsuit against them. The AG's suit seeks to recover more than $1 billion paid by Massachusetts taxpayers for the treatment of indigent citizens suffering from tobacco-related illnesses.

U.S. District Court Judge George O'Toole stayed a suit filed by the tobacco industry that raised federal preemption and interstate commerce arguments against the Attorney General's legal effort to recover taxpayer expenses for Medicaid and other smoking-related health care costs. The judge's order means that Attorney General Harshbarger's landmark case can be prosecuted to its conclusion before proceedings on the industry's federal challenge can resume.

"We, the members of the board and the health agent, wish to congratulate you on your precedent setting success in settling the State of Massachusetts suit with the Liggett Group. We wish you similar success in your pursuit to recover Medicaid costs for people with smoking related illnesses from other tobacco companies."

Avon Board of Health

The Attorney General has claimed that the tobacco industry's litigation has been, from the start, "nothing more than a smokescreen designed to deplete our legal resources and to distract the public." AG Harshbarger also noted, "Judge O'Toole's ruling is a small but significant tactical victory that prevents the creation of a two-front court battle. It allows us to focus on holding the industry responsible to the taxpayers, who have paid the price for the death and disease caused by tobacco products."

On December 19, 1995, the AG's Office filed suit in Middlesex Superior court against six giant tobacco companies, two tobacco associations and two tobacco distributors in an effort not only to recover monetary damages but also to seek court orders requiring the defendants to disclose their research on smoking, addiction and health; to fund a remedial public education campaign on the health consequences of smoking; and to fund smoking cessation programs for nicotine-dependent smokers.

The defendants in the case include Philip Morris Incorporated, R.J. Reynolds Tobacco Company, Brown & Williamson Tobacco Corporation, B.A.T. Industries P.L.C., Lorillard Tobacco Company, Liggett Group, Inc., The Council for Tobacco Research -- U.S.A., Inc., The Tobacco Institute, Inc., Albert H. Notini & Sons, Inc., and New England Wholesale Tobacco, Inc.

THE NEW MASSACHUSETTS TOBACCO INGREDIENTS STATUTE

Federal Court Upholds State's First-in-the-Nation Law

Several months of debate regarding the Commonwealth's new tobacco ingredients disclosure law have come to an end, with a federal judge in Boston ruling against the tobacco industry. The industry had attempted to block the state's "first-in-the-nation" law that forces disclosure of ingredients in cigarettes and smokeless tobacco products. In an order issued early last month, U.S. district court Judge George O'Toole denied the industry's motion to declare that the new statute is pre-empted by federal law. Attorney General Scott Harshbarger's office defended the statute in federal court on behalf of the state Legislature and Massachusetts consumers.

Last August, Mass. G.L. c. 94, § 307A, providing for disclosure of certain information relating to tobacco products sold in the Commonwealth, was passed in the legislature. The law, which was sponsored by Senator Warren Tolman, D-Watertown, requires any manufacturer who sells cigarettes or smokeless tobacco products in Massachusetts to file annually with the state Department of Public Health a report which identifies, for each brand of cigarette and smokeless tobacco sold in Massachusetts:

1. All non-tobacco ingredients, in descending order of weight or measure in the cigarette or smokeless tobacco product; and

2. Accurate nicotine yield ratings for the cigarette or smokeless tobacco product.

The same day the Governor signed the tobacco ingredients law, the major cigarette companies filed suit in federal court in Boston to attempt to stop its implementation. Smokeless tobacco companies also filed a second federal court challenge. Together, they claimed primarily that:

1. The new law is preempted by the federal cigarette labeling act and a similar law regarding smokeless tobacco.

2. The law is unconstitutional because it places an undue burden on interstate commerce.

3. The law is unconstitutional under the Takings Clause because it will require the cigarette and smokeless tobacco companies to publicly disclose their alleged "trade secrets."

The Attorney General has consistently stated that the Massachusetts tobacco ingredients law does not conflict with federal law. The cited federal law contains a preemption provision that is clearly limited to state regulation of cigarette *advertising and labeling*, neither of which are affected by the Massachusetts law. As regards the industry's concern over disclosing "trade secrets," the law will allow for specific legal review of this issue by the Attorney General -- before ingredient information is publicly released, but after the state health department has identified the information that, if released, could reduce risks to the public health.

The Attorney General's office has strongly supported the tobacco ingredients law as a measure which promotes public health by providing the state health department with detailed, brand-specific information about cigarette ingredients and nicotine yield. The law strongly promotes consumer interests, by allowing smokers to have information about what is in their cigarette and smokeless tobacco products. The law also requires tobacco companies to provide accurate nicotine yield levels for these products.

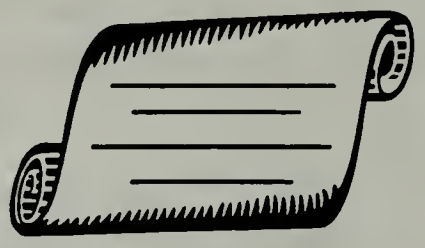
Attorney General Harshbarger noted that the federal ruling was a victory for the people of Massachusetts in their efforts to get the tobacco industry to play by the same rules as any other business and to protect our children from becoming the next generation of tobacco victims. He stated, "I believe this ruling may establish a new front in the battle being waged against the death and disease caused by the tobacco industry. Other states have been watching Massachusetts very closely, and I believe many will also now try to get a similar law on the books in their states." The law goes into effect July 1, 1997.

"I wanted to take a moment to acknowledge ...the Federal District Court decision upholding the state's right to require that cigarette manufacturers disclose substances in their tobacco products... In each instance, your leadership of the Attorney General's office – "lawyer qua lawyer" for the people of the Commonwealth – was exemplary. You and your office should be very proud of these accomplishments. These cases are benchmarks for quality representation of the public interest."

Ralph C. Martin, II
Suffolk County District Attorney

Expanded Liggett Settlement in the Works

Terms Include Admittance that Smoking is Addictive and that the Industry Targets Teens



On March 20, the Liggett Group announced a historic expansion settlement with the twenty-two states whose Attorneys General have filed legislation against the tobacco industry, including Massachusetts.

For the first time in history, Liggett, one of the nation's top five tobacco companies, admits in its settlement 1) that cigarette smoking causes lung cancer, heart disease and emphysema; 2) that nicotine is addictive; and 3) that the tobacco companies actively market to teenagers.

Under the terms of the settlement, Liggett agrees to turn over hundreds of documents that include proof of the above statements. Liggett will waive all of its attorney/client privilege, work product protections and employee confidentiality agreements with respect to its documents and employees. It will actively assist the A.G.s in their pursuit of other tobacco companies.

Furthermore, Liggett also agrees to place a prominent warning on all of its tobacco packaging and advertising stating that "Smoking is Addictive," and to issue a public statement acknowledging that cigarette smoking causes specific health problems.

Finally, Liggett acknowledges that the tobacco industry markets to "youth" which includes children as young as age 14. Through its CEO Bennett S. LeBow, Liggett pledged to "scrupulously avoid any and all advertising and marketing that would appeal to children and adolescents."

One year ago, the Liggett Group made news as the first and only tobacco company to settle with the then five states suing the industry. By virtue of a "most favorable nation" clause negotiated in the March 1996 settlement, the five initial states, including Massachusetts, will retain all the benefits of the original settlement and also obtain the benefit of the additional, favorable provisions incorporated in the new, expanded agreement.

Litigating States and Cities/Counties

One year ago, there were five states involved in tobacco litigation projects. Today that number is 22 and growing:

Arizona
Connecticut
Florida
Hawaii
Illinois
Indiana
Iowa
Kansas
Louisiana
Maryland
Massachusetts
Michigan
Minnesota
Mississippi
New Jersey
New York
Oklahoma
Texas
Utah
Washington
West Virginia
Wisconsin

Non-Attorney General suits include:
Alabama
Ohio
City of New York
Erie County, New York
City and County of San Francisco, CA
Los Angeles, CA

Harshbarger Receives New England Public Health Association Award

In January, Attorney General Scott Harshbarger received an award from the New England Public Health Association (NEPHA) for his efforts to recover health care dollars for Massachusetts taxpayers, and for protecting children from the hazards of tobacco products.

The Ira V. Hiscock Award is given annually to a New England resident for an outstanding contribution to public health in New England or for contributions that have made a significant impact on public health in the region. Previous recipients of the award include former U.S. Surgeon General C. Everett Koop.

Michael Dexter, NEPHA president-elect said that Attorney General Harshbarger was chosen as this year's recipient for "his outstanding record for consumer protection in general for taking the lead to protect the public's health, in particular with respect to his efforts to decrease the negative impact of tobacco products on the citizens of Massachusetts."

AG Sting Targets Youth Access to Tobacco

Cigarettes Sold Illegally to One Out of Three Teens in Five States

Despite a recent national focus on youth access to tobacco products, the Attorney General's office reports that one in three teenagers were illegally sold cigarettes during an undercover sting orchestrated by the attorneys general offices in five states, including Massachusetts.

Attorney General Harshbarger, together with attorneys general from Minnesota, New Mexico, New York and Vermont recently released the results of stings in their states in which minors tried to purchase cigarettes at major national chains, including convenience stores, gas stations, drug stores and supermarkets. In all states the sale of tobacco products to minors is illegal.

In Massachusetts, cigarettes were illegally sold to teenagers working with Harshbarger's Consumer Protection and Antitrust Division in 56 percent of the purchase attempts made at stores in 23 communities throughout the state. Some of the teens were as young as 13. The Massachusetts portion of the sting concentrated specifically on communities without local tobacco control programs.

In the five states together, cigarettes were illegally sold to teens 463 times out of 1,405 purchase attempts - a total average "success rate" of 33 percent. However, not all states targeted communities without local tobacco control programs.

The attorneys general are now considering enforcement actions against the chain stores that most frequently violated the law. The Massachusetts Consumer Protection Act allows Attorney General Harshbarger's office to seek a civil penalty of up to $5,000 for each pack of cigarettes sold to a minor here. AG Harshbarger stated, "One in every four kids who smoke will eventually contract a tobacco-related disease. Targeting irresponsible retailers is one way to prevent our children from becoming the next generation of victims. The sting results make it clear that we need aggressive involvement at the local level through community tobacco control programs and at the federal level through new Food and Drug Administration rules."

Eight out of 10 American smokers had their first cigarette before age 18; six out of 10 started before age 16; and four our of 10 started before age 14. More than 500 million packs of cigarettes are sold each year to minors in the United States - even though every state in the nation makes such sales illegal.

In 1994, Attorney General Harshbarger's office conducted a similar youth access sting in which cigarettes were illegally sold to minors 65 percent of the time. Five supermarket chains paid a total of $102,000 in civil penalties for the violations.

Massachusetts sting	ATTEMPTS	PURCHASES	"SUCCESS" RATE
OVERALL RESULTS	200	111	56%
Gas Stations	159	86	54%
Drug Stores	21	12	57%
Convenience stores	18	11	61%
Other	2	2	100%

Recommendations to Prevent Illegal Tobacco Sales to Minors:

- Require proof of age, in the form of photographic identification, for anyone who appears age 25 or younger.
- Keep tobacco products behind the sales counter or locked in cases.
- Develop effective training programs for store employees.
- Use secret shoppers to monitor employee compliance, and reward employees who comply.
- Hold store managers accountable for their store's compliance with the law.

TAKING HIS MESSAGE TO THE AIRWAVES

Last fall, Attorney General Scott Harshbarger dedicated an episode of his monthly cable show, "Issues and Answers" to the topic of underage smoking and tobacco litigation. The show's guests included Dr. Howard Koh, Chairman of the Massachusetts Coalition for a Healthy Future, Kelly Coffey, COMMIT Coalition coordinator, and Elsa Heidorn, a teen advocate and COMMIT Coalition volunteer. Later that same month, the Attorney General followed up the taping with a visit to Coalition staff members and volunteers in Leominster to discuss local tobacco control efforts.

"Issues and Answers" airs on Continental Cable systems in 108 Massachusetts communities. A copy of the show may be requested from either of the following:

The COMMIT Coalition
(508) 534-1882 or
The Attorney General's office
(617) 727-2200.

Harshbarger Joins Minnesota AG and Others to Support FDA Regulations on Tobacco Sales to Minors

In December, Attorney General Scott Harshbarger joined with Minnesota and 31 other attorneys general to file an amicus brief supporting the federal Food and Drug Administration (FDA) rule designed to restrict the sale of cigarettes and smokeless tobacco to children. Minnesota's Attorney General drafted the amicus brief in support of the FDA rule.

The FDA, pursuant to its jurisdiction under the federal Food, Drug and Cosmetic Act, published final regulations on August 28, 1996, prohibiting the sale of cigarettes and smokeless tobacco containing nicotine to children under the age of 18 and restricting the manner in which companies advertise, distribute and label those products.

In four consolidated cases, the tobacco companies have filed lawsuits challenging, on statutory and constitutional grounds, the authority of the FDA to adopt and enforce such regulations. The companies have requested that a federal judge in North Carolina issue a permanent injunction to prevent the implementation of the FDA's regulations under the Act.

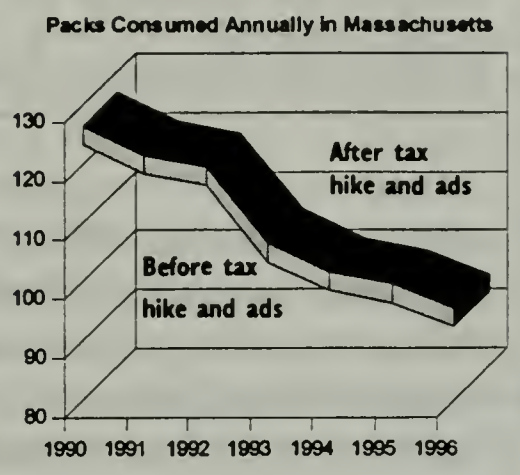
In their brief supporting the FDA rule, the Attorneys General maintain that the regulations establish necessary, national minimum standards for tobacco industry sales and advertising practices. Among other things, the FDA regulations prohibit the sale of tobacco-related products to individuals under 18, require retailers to verify a purchaser's age by photo identification and prohibit certain ways of distributing free sample products.

Attorney General Harshbarger stated, in support of the FDA regulations, "We know that young people are influenced heavily by cigarette advertising, with 75 percent of all adult smokers reportedly becoming addicted before they turned 18 years old. I strongly support the FDA's efforts to reduce the toll of death and disease resulting from tobacco products." Harshbarger also noted that Massachusetts has been one of the leading states pushing to reduce tobacco advertising that allegedly targets children and undermines state law prohibiting sales to minors, adding that the FDA regulations will directly complement the Commonwealth's efforts in this area.

"I want to thank you for signing the Amicus Curiae Memorandum filed on behalf of your state and 32 other states in Beahm, et al. v. United States Food and Drug Administration in defense of the Food and Drug Administration's reasonable rule to protect children from tobacco advertising and marketing. There is no other issue of greater public health importance. With your courage and leadership, we have an opportunity to bring about fundamental change."

Matthew L. Myers
Executive Vice President and General Counsel
Campaign for Tobacco-Free Kids

Educational Ads Help Kick Commonwealth's Smoking Habit by 17%



A study by the US Centers for Disease Control and Prevention shows that since 1993, when the legislature's 25-cent cigarette tax hike took effect, cigarette smoking has dropped three times faster in Massachusetts - by a total of 17% - than it has nationally.

Cigarette smoking typically drops when prices increase; however, experts say it is not the price jump that is accountable for the drop in smoking, because tobacco companies cut wholesale prices nationally in the summer of 1993, holding Massachusetts retail prices almost steady. Instead, Dr. Jeffrey E. Harris of Massachusetts General Hospital has concluded that the major explanation for the drop in Massachusetts is the $116 million poured into television ads and educational programs by an antismoking campaign funded by the state tax increase. The federal study confirms Dr. Harris' view and suggests that the tide of anti-smoking ads also explains why Massachusetts cigarette consumption is dropping much faster than elsewhere in the nation.

In response to some critics who question whether the numbers reflect the fact that the tax increase sent some consumers into New Hampshire for their cigarettes, Dr. Harris states that the study does in fact account for the over-the-border purchases. If it had not, total cigarette consumption in Massachusetts could have dropped as much as 19.7 percent.

The study was based on reports compiled by the Tobacco Institute, which were gathered from state tax agencies.

Monitoring Congress

Rumors from Washington continue to suggest that draft federal legislation is under conceptual consideration and could bring about a national settlement agreement.

While proposed legislation at this stage is nothing more than conceptual, if momentum develops behind the idea the public health community must be prepared to insist that tobacco control and public interest goals be given paramount importance and that Congress not provide a "home game" advantage to Big Tobacco.

Again, it is important to note that discussion of a legislative plan is only in an early stage. Attorney General Harshbarger's office, through the *Tobacco Litigation Team Report*, will try to keep you posted on any new information regarding this or other settlement proposals.

Harshbarger Welcomes State Treasurer's New Backing of Divestiture Law

Having previously urged State Treasurer Joe Malone to divest the state's stockholdings in tobacco and other industries which pursue socially irresponsible marketing practices, Attorney General Harshbarger lauded the treasurer's recent turn about decision to support a divestiture law.

In November, the treasurer reversed his position and urged lawmakers to pass legislation that would force managers of the state's pension investment fund to dump all of its tobacco stocks. The state's treasurer is Chairman of the board that oversees the $17 billion fund. The state's tobacco-related stocks and bonds are estimated to be worth approximately $180 million. In contrast, the state spends nearly $70 million in anti-smoking education programs.

Should a divestiture bill become law, Massachusetts would be only the second state, after Maryland, to sell off its tobacco holdings.

As part of Attorney General Harshbarger's open door policy, the TLT Report encourages and solicits your suggestions on how this office can be helpful on the tobacco litigation and control front.

Please forward your suggestions, questions and concerns to:

Denise Snyder
Publications Coordinator
Office of the Attorney General
One Ashburton Place
Boston, MA 02108

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NEW LEGISLATION INTRODUCED TO REDUCE TOBACCO ACCESS TO MINORS;

Requires License to Sell Tobacco Products, Restricts Vending Machines to Bars

Last month, new legislation was proposed that would require boards of health in Massachusetts to license stores that sell cigarettes. Those retailers who violate the law by selling cigarettes to minors would be subject to fines, suspensions, or license revocation. Habitual violators may have to post a sign on their storefronts that reads: "This store has violated Massachusetts law forbidding the sale of tobacco to minors."

The bill, which was drafted by Attorney General Harshbarger's office and sponsored by Sen. Warren Tolman (D-Watertown) and state Rep. James Marzilli (D-Arlington), is a vigorous attempt to cut the cigarette supply to teenagers, who buy 5 million packs of cigarettes a year.

In addition, the bill also bans vending machines in all locations except for bars (where the clientele is presumably of adult age) or in places where the machines are kept under lock and key. The sponsors of the bill hope that restricting points of purchase will limit the potential for minors to get their hands on cigarettes.

Approximately 100 municipalities in the Commonwealth already require similar permits, while some have restrictions and bans on self-service displays, and others ban cigarette vending machines completely.

The introduction of the bill comes on the heels of the passage of a new federal law that requires stores to check the identification of anyone under the age of 27 asking to purchase tobacco products.

"I want to express my, as well as the American Heart Association's, appreciation for your efforts in taking on the tobacco industry on behalf of the citizens of your state as well as for all Americans.... With all of us working for the common goal of protecting the public's health and ensuring that the tobacco industry is effectively monitored and controlled, we can win and we can ensure future generations from going down the road of addiction, disease and death as so many Americans have over the decades."

Scott D. Ballin, J.D.
Vice President and Legislative Counsel
American Heart Association

Boston Cracks Down on Cigarette Sales to Minors

The city of Boston is the latest to join an ever-growing movement to crack down on teen smoking by toughening restrictions on cigarette sales. In March, the Boston City Council adopted an ordinance that bans cigarette vending machines from areas accessible to minors and imposes fines on convenience stores selling tobacco products to people under the age of 18.

Similar to proposed state legislation, the ordinance would require stores that sell cigarettes to annually purchase permits costing $50. The money gathered from the permit sales would then be put towards enforcement and educational efforts.

The City already has the support of the New England Convenience Store Association in this effort. The Association hopes the ordinance will help to more closely regulate its own members. It also applauds Boston's decision to restrict vending machine locations in such stores to within 10 feet of the cash register so store employees can regulate access.

Under the ordinance, violators may face civil fines ranging from $100 to $300 and the suspension of tobacco-selling privileges from seven to 30 days.

Springfield Considers Use of Permits for Tobacco Sales

In an effort to better enforce prohibitions against the sale of cigarettes to minors, the Mayor of Springfield has proposed an ordinance that will, through the use of permits, make it more difficult for minors to get their hands on cigarettes.

Mayor Michael J. Albano's proposal requires that retailers obtain a permit from the Health Department for the sale of tobacco products. Such permits would cost $50 and persons caught selling tobacco without a permit would be subject to a fine of $50 per day. The plan would allow Health Department inspectors to issue civilian tickets carrying fines of up to $300 per violation and give the Health Department the right to revoke permits for tobacco-related sales from establishments found in violation of the law three times within two years.

In addition to requiring retailers to obtain a permit from the Health Department, the proposed tobacco ordinance would also prohibit self-service display of products, free samples, vending machines without lockout devices and out-of-package sales.

To date, approximately 140 communities have passed ordinances to help them enforce the state law that prohibits selling cigarettes to anyone under age 18.

English High Students Play Out Tobacco Wars; *Partnership with Boston Bar Association Brings Debate to the Classroom*

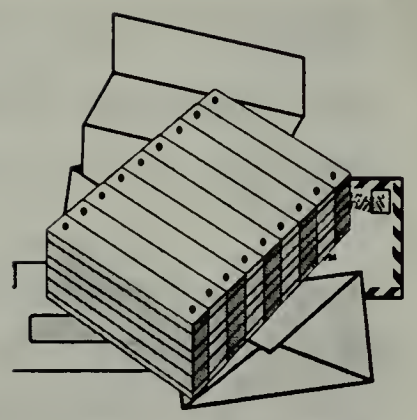
Earlier this year, more than 60 English High School students explored smokers' rights, tobacco company liability and cigarette advertising through a project that is part of a unique partnership between that school and the Boston Bar Association. The partnership was created to introduce Boston high schoolers to law and public policy, through the use of role playing, seminars with practicing attorneys and visits to law firms.

An assistant attorney general and member of the AG's tobacco litigation team joined two other leading Massachusetts players in the tobacco debate to speak on tobacco issues and help students learn about the legal system and how public policy is formed.

Together with the Director for the Massachusetts tobacco control program at Dept. of Public Health and an attorney for the Tobacco Products Liability Project at Northeastern University, the three helped students set up role-playing where they had to negotiate with one another and come up with new tobacco laws.

The law firm of Brown Rudnick oversees the school-bar partnership. Future seminars will focus on free speech and sexual harassment.

AG Cites Document Shredding as Industry Attempt to Hide Truth



Last month, Attorney General Harshbarger stated that testimony from a former Philip Morris Co. Inc. chemist about allegedly shredded research documents is "further evidence of the tobacco industry's attempt to hide the truth about their products." He noted that the testimony further illustrates the need for this state's first-in-the-nation tobacco ingredients disclosure law.

Testimony about the shredded documents was given by a former analytical chemist for Philip Morris, during a deposition conducted by Ness, Motley, one of the firms respresenting Massachusetts in its tobacco litigation, and was part of pretrial preparations in the state of Texas. The Texas Attorney General, Dan Morales, stated that specifically, the former employee said that he was ordered in the 1980s to shred research reports that showed "alarmingly high" concentrations of a carcinogen called nitrosamine in tobacco smoke .

Massachusetts's tobacco ingredients law, which will go into effect later in 1997, requires tobacco companies to list with the Department of Public Health the ingredients, by weight or measure, in each brand of their cigarettes and smokeless tobacco products sold in the state.

Office of the Attorney General
One Ashburton Place
Boston, MA 02108